



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RECEIVED

INTEL CORPORATION
c/o INTELLEVATE LLC
PO BOX 52050
MINNEAPOLIS MN 55402

DEC 19 2008

OFFICE OF PETITIONS

In re Application of :
Neiger, et al. : DECISION GRANTING PETITION
Application No. 09/752,134 : AND WITHDRAWING THE
Filed: December 27, 2000 : HOLDING OF ABANDONMENT
Attorney Docket No. 042392.P9770 :
:

This is a decision on the petition to withdraw the holding of abandonment under 37 CFR 1.181, filed November 17, 2008.

The petition under 37 CFR 1.181 is **GRANTED**.

The holding of abandonment is **WITHDRAWN**.

The above-identified application was held abandoned for failure to timely file a response to the final Office action mailed November 13, 2007. This Office action set a shortened statutory period of three (3) months. No reply having been received, the application became abandoned on February 14, 2008. A Notice of Abandonment was mailed on July 16, 2008.

Petitioner contends that he did timely file a proper reply. In support thereof, petitioner has supplied a copy of an RCE and an Amendment, bearing a Certificate of Mailing dated April 14, 2008 (April 13, 2008 fell on a Sunday). Included with the Amendment was an authorization to charge any additional fees to counsel's deposit account.

In view of the above, the holding of abandonment is withdrawn.

As petitioner has presented no evidence that the necessary one month extension of time was charged to his deposit account, the \$65 fee for a one month extension of time has been charged to Deposit Account No. 50-0221, as authorized.

The matter is being forwarded to Group Art Unit 2137 for consideration of the RCE filed November 17, 2008 (Certificate of Mailing dated April 14, 2008).

Telephone inquiries related to this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions